

**United States Environmental Protection Agency
Criminal Investigation Division
Investigative Activity Report**

Case Number:

0203-M296

Case Title:

NY Waterway Ferry (CWA)

Subject of Report:

2018-09-10 Meeting with the Relator, Attorney, and PI

Reporting Office:

Edison, NJ, Resident Office

Activity Date:

September 10, 2018

Reporting Official and Date:

██████████
Special Agent

12-SEP-2018, Signed by: ██████████

Approving Official and Date:

██████████
Acting Deputy Director
13-SEP-2018, Approved by: ██████████
Assistant Special Agent in Charge

SYNOPSIS

On September 10, 2018, US Environmental Protection Agency - Criminal Investigation Division (EPA-CID) Special Agent ██████████ (██████████), Regional Counsel for Environmental Crimes Jason Garelick (RCEC Garelick), and Assistant US Attorney Jason Gould (AUSA Gould) from the District of New Jersey (DNJ) Offices of the US Attorney met with the relator, ██████████ his attorney Michael D. Fitzgerald (Fitzgerald), and Fitzgerald's ██████████, ██████████ regarding their report of their own investigation into NY Waterways.

DETAILS

On September 10, 2018, US EPA-CID ██████████, RCEC Garelick, and AUSA Gould from the DNJ Offices of the US Attorney met with the relator, ██████████ attorney Fitzgerald, and Fitzgerald's ██████████, ██████████ regarding their report of their own investigation into NY Waterways.

Fitzgerald explained that he has been renting an apartment at the ██████████ apartments for the past three months, where ██████████ installed a remote internet protocol (IP) camera to observe the work dock of NY Waterways. Additionally, ██████████ and Fitzgerald have obtained automatic identification system (AIS) data through a paid smart phone application showing the locations of the various NY Waterways ferries.

It is the determination of Fitzgerald and ██████████ that the ferries from NY Waterways are not using the proper, legal means to pump out the sewage off of their various ferries. They believe that NY Waterways is either pumping directly overboard while at the workdock (out of view of their installed IP camera), or that the vessels are running with their valves open and directly discharging while in operation throughout the NY Harbor.

Fitzgerald provided SA ██████████ with the powerpoint presentation and detailed breakdowns of three NY Waterway ferries operations over the past several months. These are attached.

ATTACHMENT

2018-09-10 PI ██████████ Presentation to AUSA Gould
2018-09-10 ██████████
2018-09-10 ██████████
2018-09-10 ██████████